UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,966	02/14/2001	Akinobu Fujino	1114-156	9757

23117   7590   03/28/2006

NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

EXAMINER
KE, PENG

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

/

	Application No.	Applicant(s)
Office Action Summary	09/781,966	FUJINO, AKINOBU
	Examiner	Art Unit	
	Peng Ke	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 August 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-8 and 11-22</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-8 and 11-22</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

This action is responsive to communications: Amendment, filed on 8/9/04.

Claims 1-8, 11-22 are pending in this application. Claims 1 and 22 are independent

claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 5-8, 13, 15, 17, and 19 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Niblack (US 6,181,342) in view of Katinsky et al. (US 6,452,609).

As per claim 1, Niblack teaches a file processing apparatus comprising:

file display means for displaying a folders for selection in a folder selection region, and

for displaying a plurality predetermined file in a predetermined file display region as an icons,

wherein when a folder in the folder selection region is selected then files from the selected folder

are displayed by the file display means in the file display region as icons. (fig 5, items 64a-64h);

selected file storage means, in response to a selection request with regard to a

predetermined file displayed in the file display region, for storing a selected file (col. 3, lines 21-

36; Examiner infers directory to be a selected file storage means);

selected file display means for displaying the selected file in a predetermined selected

display region as an icon (col. 4, lines 23-35; It is inherent that in order to select a file to be

executed, the user must select display region of the icon); and

process execution means, in. response to a predetermined process request, for subjecting

a file stored by the selected file storage means to a predetermined process (col. 4, lines 1-35).

However, Niblack fails to teach wherein a display screen of the file processing apparatus

is divided into a least four different areas at a given point in so as to include each of the file

display region, the folder selection region, the selected display region, and a process display

region, so that the display screen simultaneously displays each of the following at the given point

in time: (a) the folders for selection in the folder selection region, (b) the icons of the plurality of

predetermined files in the file display region which are from selected folder(s) from the folder

selection region, (c) at least the selected file in the selected display region which is different than

the file display region and (d) process icons in the process display region indicative of processes

that the selected file can be subjected to.

Wherein a user can select files from a first folder when the first folder is selected in the

folder selection region, and can thereafter select different files from a second folder when the

second folder is selection in the folder selection region, so that the selected files from the first

folder and the selected files from the second folder are displayed simultanesoul in the select

display region and can be subject to processing together when a process icon in the process

display region is selected.

Katinsky et al. teaches wherein a display screen of the file processing apparatus is divided into a least four different areas at a given point in so as to include each of the file display region, the folder selection region, the selected display region, and a process display region, (fig. 8a) so that the display screen simultaneously displays each of the following at the given point in time: (a) the folders for selection in the folder selection region, (figure 1, item 12) (b) the icons of the plurality of predetermined files in the file display region which are from selected folder(s) from the folder selection region, (figure 1, item 14) (c) at least the selected file in the selected display region which is different than the file display region (fig. 1, item 16) and (d) process icons in the process display region indicative of processes that the selected file can be subjected to. (fig. 9b, item 82, fig.5, item 58)

Wherein a user can select files from a first folder when the first folder is selected in the folder selection region, and can thereafter select different files from a second folder when the second folder is selection in the folder selection region, so that the selected files from the first folder and the selected files from the second folder are displayed simultaneously in the select display region and can be subject to processing together when a process icon in the process display region is selected. (col. 4, lines 50-column 5, lines 15)

It would have been obvious to an artisan at the time of the invention to include Katinsky et al.'s teaching with Niblack's apparatus in order to provide user with the ability to access and control multiple different objects with out opening multiple folders.

As per claim 2, Niblack and Katinsky teach the file processing apparatus of claim 1.

Niblack further teaches wherein the file display means displays the files in the file display

regions as thumbnails (fig 5, items 64a-64h).

As per claim 5, which dependent on claim 1, it is of the same scope as claim 2. (see

rejection above)

As per claim 6, which dependent on claim 1, it is of the same scope as claim 2. (see

rejection above)

As per claim 7, Niblack and Katinsky teach the file processing apparatus of claim 1.

Niblack further teaches wherein the selected file storage means stores files selected from among

a plurality of folders. (col. 8, lines 9-24; Examiner infers directories to be folders).

As per claim 8, Niblack and Katinsky teach the file processing apparatus of claim 6.

Niblack further teaches wherein the selected file storage means stores files selected from among

a plurality of folders and that the selected file display means displays these files in one selected

file display region (col. 8, lines 9-24; Examiner infers directories to be folders).

As per claim 13, Niblack and Katinsky teach the file processing apparatus of claim 1.

Niblack further teaches the apparatus comprising:

process storage means for storing a plurality of process requests (col. 6, lines 46-56),

wherein the process execution means subjects the files stored by the selected file storage

means to a plurality of processes, in response to the plurality of process requests stored in the

process storage means (col. 6, lines 56-68, col. 7, lines 1-10; Examiner infers monitoring and

updating new documents to be a plurality of process).

As per claim 15, Niblack and Katinsky teach the file processing apparatus of claim 1. Niblack further teaches the apparatus comprising:

file selection means for selecting, from among an arbitrary plurality of files, those files that match a predetermined condition (col. 9, lines 45-54).

As per claim 17, Niblack and Katinsky teach the file processing apparatus of claim 15. Niblack further teaches the apparatus wherein the file selection means selects files from within an arbitrarily defined range (col. 9, lines 53-58; Examiner infers to limiting the size to be defining a range).

As per claim 19, Niblack and Katinsky teach the file processing apparatus of claim 1. Niblack further teaches a computer readable storage medium on which a program is stored that allows a computer to operate as the file processing apparatus of claim 1 (col. 9, lines 20-32).

As per claim 21, Niblack and Katinsky teach the file processing apparatus of claim 1. Katinsky further teaches when a file displayed in the selected display region is clicked, then its icon is highlighted in the selected display region and the folder containing the clicked file is highlighted in the tree display window. (fig. 4 items 50 and 54)

As per claim 22, it is rejected with the same rational as claim 1. Supra.

Claims 3, 4, 11, 12, 14, 16, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niblack (US, 6,181,342) in view of Katinsky et al. (US 6,452,609) further in view of Oesterer et al. (US 6,415,298).

As per claim 3, Niblack and Katinsky teach the file processing apparatus of claim 1. However they fail to further teach the apparatus comprising:

selected file cancellation means, in response to a predetermined selection cancel request,

for canceling the selection of a portion or all of the files stored by the selected file storage means.

Oesterer et al. teaches an apparatus comprising:

selected file cancellation means, in response to a predetermined selection cancel request,

for canceling the selection of a portion or all of the files stored by the selected file storage means

(Fig. 1, item 44, col. 6, lines 50-61, col. 7, lines 1-17; It is inherent that once the user deactivate

the account the data and files regarding the actual transaction of the account will be deleted).

It would have been obvious to an artisan at the time of the invention to include Oesterer

et al. teaching with apparatus of Niblack and Katinsky in order to allow the user to organize

complex information in a visually descriptive and flexible manner that is similar to the way,

which files are organized.

As per claim 4, which is dependent on claim 2, it is of the same scope as claim 1. (see

rejection above)

As per claim 11, Niblack and Katinsky teach the file processing apparatus of claim 1.

However, they fail to teach the apparatus wherein the selected file storage means keeps storing

the selected files, even after a process has been executed by the process execution means, until a

predetermined selection cancel request.

Oesterer et al. teaches an apparatus wherein the selected file storage means keeps storing

the selected files, even after a process has been executed by the process execution means, until a

predetermined selection cancel request (Fig. 1, item 44, col. 6, lines 50-61, col. 7, lines 1-17).

It would have been obvious to an artisan at the time of the invention to include Oesterer

et al. teaching with apparatus of Niblack and Katinsky in order to allow the user to organize

complex information in a visually descriptive and flexible manner that is similar to the way,

which files are organized.

As per claim 12, which is dependent on claim 8, it is of the same scope as claim 11. (see

rejection above)

As per claim 14, Niblack, Katinsky and Oesterer et al. teach the file processing apparatus

of claim 12. Niblack further teaches the apparatus comprising:

process storage means for storing a plurality of process requests (col. 6, lines 46-56),

wherein the process execution means subjects the files stored by the selected file storage

means to a plurality of processes, in response to the plurality of process requests stored in the

process storage means (col. 6, lines 56-68, col. 7, lines 1-10; Examiner infers to monitoring and

updating new documents to be a plurality of process requests).

As per claim 16, Niblack, Katinsky and Oesterer et al. teach the file processing apparatus

of claim 14. Niblack further teaches the apparatus comprising:

file selection means for selecting, from among an arbitrary plurality of files, those files

that match a predetermined condition (col. 9, lines 45-54).

As per claim 18, Niblack, Katinsky and Oesterer et al. teach the file processing apparatus

of claim 16. Niblack further teaches wherein the file selection means selects files from within an

arbitrarily defined range (col. 9, lines 53-58; Examiner infers to limiting the size to be defining a

range).

As per claim 20, Niblack, Katinsky and Oesterer et al. teach the file processing apparatus

of claim 18. Niblack further teaches a computer readable storage medium on which a program is

stored that allows a computer to operate as the processing apparatus (col. 5, lines 1-24)

Response to Argument

Applicant's arguments filed on 8/9/04 have been fully considered but they are not persuasive.

Applicant argued that Niblack and Katinsky fail to disclose or suggest a display screen the simultaneously displays (a) the folders for selection in the folder selection region, (b) the icons of the plurality of predetermined files in the file display region which are from selected folder(s) from the folder selection region, (c) at least the selected file in the selected display region which is different than the file display region and (d) process icons in the process display region indicative of processes that the selected file can be subjected to.

Examiner disagrees. Kaintsky teaches limitation because it displays (a) a folder window (figure 1, item 12), (b) a selected icon window (figure 1, item 14), (c) a content display window (figure, item 16), and (d) the processing buttons (figure 9b, items 82) all within the same screen.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peng Ke

KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100